

Ordinance No. 2025-011 -ADM

An Ordinance to Amend Article VII – Tree Conservation and Landscape Planting, Repealing Section 38-282, as enacted in Ordinance No. 2022-010-ADM, and Replacing the Same with a Revised Section 38-282

BE IT ORDAINED by the City Council of the City of Trussville, Alabama, as follows:

Section 1. That the following Subsection, as enacted by **Ordinance No. 2022-010-ADM**, is hereby repealed in its entirety:

Sec. 38-282 Penalty for Violation.

(A) Any entity or person violating any provision of this article shall, upon conviction, be punished under the provisions of section 1-5 of the Code of Ordinances. Each day a violation continues shall be deemed a distinct and separate violation of this Ordinance. Any entity that violates this Ordinance may be subject to a suspension or revocation of its business license.

(B) Upon conviction in the municipal court of a violation under this Ordinance, the entity or person shall be made to remit an amount in restitution to the Tree Mitigation Fund the appropriate amount Tree Mitigation Costs as set out in Exhibit A.

(C) The City Official is authorized to take any action available to him at law or in equity to ensure compliance with this ordinance, which may include but is not limited to initiating a civil suit in the circuit court of the respective county in which the property sits, suspension or revocation of any business license, if an entity.

Section 2. That **Ordinance No. 2022-010-ADM** is hereby amended with this following replacement Subsection:

Sec. 38-282 Penalty for Violation.

(A) Any entity or person violating any provision of this article shall, upon conviction, be punished by a fine between \$1 and \$500 at the discretion of the municipal court plus applicable court costs. Each day a violation continues shall be deemed a distinct and separate violation of this Ordinance.

(B) In addition to the fine in this section, upon conviction in the municipal court of a violation under this Ordinance, the City may request the municipal court to order restitution against the convicted entity or person for the cost to replace tree(s) All fees collected for violations of this ordinance shall be deposited into the City's Tree Mitigation Fund.

(C) Upon conviction the city may suspend or revoke the business license of any entity.

Section 3. Severability.

If any part of this ordinance is declared unconstitutional or void by a court of competent jurisdiction, the remainder of the ordinance shall remain in full force and effect.

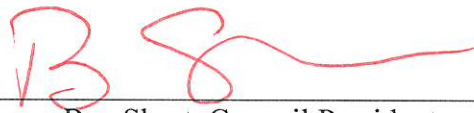
Section 4. Conflict of Law.

Nothing contained herein shall be construed to alter or amend requirements under county, state, or federal law.

Section 5. Enactment

This ordinance shall become enacted upon its passage by the City Council, approval by the Mayor, and publication or as otherwise required by law.

ADOPTED AND APPROVED THIS THE 26TH DAY OF JUNE 2025



Ben Short, Council President



Buddy Choat, Mayor
City of Trussville

Attest:


Dan Weinrib CMC, City Clerk

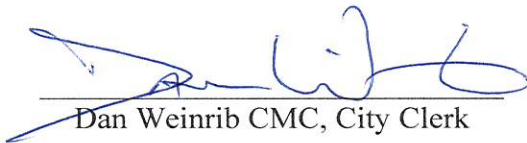
CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Dan Weinrib, City Clerk of the City of Trussville, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Trussville, Alabama, on the 26th day of June 2025.

The above and foregoing ordinance was published on the 27th day of June 2025 by posting copies thereof in three public places within the City of Trussville, one of which was at Trussville City Hall.

Witness my hand and seal of office this 27th day of June 2025


Dan Weinrib CMC, City Clerk